

**THOMAS C. CLARK**  
**CONSTRUCTION ATTORNEY / ENGINEER**  
**SENIOR VICE PRESIDENT**

2065 FOOTHILLS ROAD— GOLDEN, CO 80401  
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**EDUCATION**

**Juris Doctorate**

University of Illinois – Champaign/Urbana (1980)

**B.S. Civil Engineering, emphasis in structural and foundation engineering**

University of Illinois – Champaign/Urbana (1977)

**EXPERIENCE**

**Principal, GC Consulting**

*Denver, Colorado*

2016-Present

Principal in firm providing interim corporate counsel, business, risk management, mediation, arbitration, contract administration, claims/litigation evaluation and management services.

**Project Counsel, Ames Construction, Inc.**

*Boulder, Colorado*

2015-2016

Interim legal counsel to the Ames/Granite Joint Venture during the wind down phase of the 17 mile US 36 Express Lanes design-build project to reconstruct and expand the Boulder Turnpike (Public Private Partnership). Primarily claims evaluation.

**Senior Vice President and General Counsel, SEMA Construction, Inc.**

*Denver, Colorado; Irvine, California; Austin, Texas; Orlando, Florida*

2006-2015

- Broad range of legal and corporate responsibilities for *Engineering News-Record* 400 (\$300M) highway and heavy contractor as it expanded operations nationwide.
- Litigation evaluation and management, corporate, risk management, insurance, safety, joint ventures, contract review, employment, water, environmental, claims, changes, design/build.

**Partner in the law firm of Oviatt, Clark and Gross, LLP**

*Denver, Colorado (22 years)*

- Practice limited to the representation of contractors, owners, sureties, engineers, and architects, primarily on construction and government contract matters, including mechanic's liens.
- Broad experience in contract negotiation/review, corporate, insurance, real estate, bonding and employment matters. co-manager of firm.

**Corporate Counsel, S.J. Groves and Sons Company, Contractors and Engineers**

*Minneapolis, Minnesota (4 years)*

- Counsel for major international construction company evaluating, preparing, negotiating and presenting construction claims before various state and federal courts and agencies.
- Involved in approximately \$50 million worth of highway claims in the above capacity.

**Illinois Department of Transportation**

Engineering technician in design office and at highway construction sites.

#### MEMBERSHIPS

- Admitted to practice law in the States of Colorado and Illinois
- Caltrans/ Dispute Resolution Board Foundation DRB/DRA training, 2017
- Admitted to practice before various Federal Courts and Courts of Appeals
- AV Rating, Martindale-Hubbell
- Member, Illinois State, Colorado State, and First Judicial District Bar Associations
- Member, AAA National Panel of Construction Industry Arbitrators (former)
- Colorado Department of Transportation Prequalified DRB Candidates List

#### REPRESENTATIVE ACHIEVEMENTS

- Represented contractor in 21 day jury trial involving defective construction claims and default termination on water treatment plant expansion project. \$25 million at issue. Defended owner in arbitration against contractor claim asserting delays, changed conditions, and defective specifications on water treatment plant expansion project.
- Corporate risk manager for national construction company responsible for placing and administering all insurance programs and claims, including premises liability claims for company owned guest ranch and event center. Managed transition from offshore captive program to traditional program for general liability, workers comp and auto coverages. Direct report from company Safety Director for all safety issues.
- Contract administrator for national construction company responsible for negotiating and finalizing hundreds of subcontracts and supplier/services contracts per year.
- SEMA Caltrans projects: 91 HOV, 91/55 Widening, 710 Widening, 86 Airport Road
- Represented contractor in 14 day jury trial involving subsidence allegedly caused by adjacent construction project.
- Defended contractor and bonding company against \$1.6 million liquidated damages claim and default termination at Denver International Airport.
- Prepared and negotiated \$2.5 Million claim involving defective stormwater management specification for major interstate highway reconstruction project.
- Published Article: "Liability of Architects Under the Illinois Structural Work Act," Illinois Bar Journal.
- Speaker on construction law topics.
- Author, bi-monthly "Construction Law Update" column, Rocky Mountain Construction, 1988 to 2006.

#### REPORTED CASES

New Design Construction Company v. Hamon Contractors, Inc., 215 P.3d 1163 (Colo. App. 2008). (Trial Counsel only)

Tricon Kent Co. v. LaFarge North America, 186 P.3d 155 (Colo. App. 2008). (Trial Counsel Only)

City of Westminster v. Centric Jones Constructors, 100 P.3d 472 (Colo. App. 2003); 2005 Colo. LEXIS 761 (Colo. 2005).

Topro Services v. McCarthy Western Constructors, Inc., and the Federal Insurance Company, 827 F. Supp. 666 (D. Colo. 1993); 856 F. Supp. 1461 (D. Colo. 1994).

#### REFERENCES

Available upon request.